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ICANN Resolutions (/resolutions) » GAC Advice regarding Protections for the Red Cross and Red Crescent – Singapore Communiqué

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GAC Advice regarding Protections for the Red Cross and Red Crescent – Singapore Communiqué

Resolution of the New gTLD Program Committee

Topic:

Clarification of GAC previous advice to ICANN Board to permanently protect from unauthorized use the terms associated with the International Red Cross and Red Crescent Movement

Category:

gTLDs

Meeting Date:

Sun, 12 Oct 2014

Resolution Number:

2014.10.12.NG05

URL for Resolution:

https://www.icann.org/resources/board-material/resolutions-new-gtld-2014-10-12-e...
(https://www.icann.org/resources/board-material/resolutions-new-gtld-2014-10-12-en#2.d)

Resolution Text:

Whereas, the GAC met during the ICANN 49 meeting in Singapore and issued a Communiqué [PDF., 449 KB] on 27 March 2014 ("Singapore Communiqué").

Whereas, in the Singapore Communiqué the GAC clarified its previous advice to the ICANN Board to permanently protect from unauthorized use the terms associated with the International Red Cross and Red Crescent Movement, and advised that the protections should also include "the 189 National Red Cross and Red Crescent Societies, in English and the official languages of their respective states of origin," and the "full names of the International Committee of the Red Cross and International Federation of the Red Cross and Red Crescent Societies in the six (6) United Nations Languages." The GAC Advice is identified in the GAC Register of Advice as 2014-03-27-RCRC.

Whereas, the GNSO has developed policy recommendations to the Board concerning the Red Cross and Red Crescent names that are the subject of the GAC's Singapore Communiqué. The scope of protections in the GNSO policy recommendations differ from the GAC's advice, and the GAC, GNSO, Board, and ICANN community continue to actively work on resolving the differences.

Whereas, the NGPC is responsible for considering the GAC advice pursuant to the authority granted to it by the Board on 10 April 2012, to exercise the ICANN Board's authority for any and all issues that may arise relating to the New gTLD Program.

Resolved (2014.10.12.NG05), the President and CEO, or his designee(s), is directed to provide temporary protections for the names of the International Committee of the Red Cross and International Federation of the Red Cross and Red Crescent Societies, and the 189 National Red Cross and Red Crescent Societies, as identified in the GAC Register of Advice as 2014-03-27-RCRC while the GAC, GNSO, Board, and ICANN community continue to actively work on resolving the differences in the advice from the GAC and the GNSO policy recommendations on the scope of protections for the RCRC names.

Rationale for Resolution:

The NGPC is taking action to provide temporary protections for Red Cross/Red Crescent (RCRC) names identified in the GAC's advice in the Singapore Communiqué, while being mindful of the outstanding discussions among the GAC, GNSO, Board, and ICANN community to actively work on resolving the differences in the GAC advice and the GNSO policy recommendations on the scope of protections for the RCRC names.

Article XI, Section 2.1 of the ICANN Bylaws permits the GAC to "put issues to the Board directly, either by way of comment or prior advice, or by way of specifically recommending action or new policy development or revision to existing policies." The GAC issued advice to the Board on the New gTLD Program through its Singapore Communiqué dated 27 March 2014 ("Singapore Communiqué"). The ICANN Bylaws require the Board to take into account the GAC's advice on public policy matters in the formulation and adoption of the polices. If the Board decides to take an action that is not consistent with the GAC advice, it must inform the GAC and state the reasons why it decided not to follow the advice. The Board and the GAC will then try in good faith to find a mutually acceptable solution. If no solution can be found, the Board will state in its final decision why the GAC advice was not followed.

In the Singapore Communiqué, the GAC clarified its previous advice to the ICANN Board to permanently protect from unauthorized used the terms associated with the International Red Cross and Red Crescent Movement, and advised that the protections should also include "the 189 National Red Cross and Red Crescent Societies, in English and the official languages of their respective states of origin," and the "full names of the International Committee of the Red Cross and International Federation of the Red Cross and Red Crescent Societies in the six (6) United Nations Languages".

The GNSO has also provided policy recommendations to the ICANN Board on the same RCRC names that are the subject of the GAC's advice in the Singapore Communiqué. Unlike the GAC's advice, the GNSO policy recommendations do not call for permanent protections for the set of RCRC names. Instead, the GNSO policy recommends that these names be protected by entering them into the TMCH for 90-days claims notification.

On 30 April 2014, the ICANN Board adopted the GNSO Council's policy recommendations on IGO-INGO protections that were not inconsistent with the GAC's advice, and requested additional time to consider the remaining policy recommendations that are inconsistent with the GAC's advice on the same topic. The Board committed to facilitate discussions among the relevant parties to reconcile any remaining differences between the policy recommendations and the GAC advice on the topic, and previously tasked the NGPC to help with this process. The NGPC action today is to provide temporary protections for the RCRC names identified in the GAC's advice in the Singapore Communiqué, while being mindful of the outstanding discussions among the GAC, GNSO, Board, and ICANN community to actively work on resolving the differences in the advice from the GAC and the GNSO policy recommendations on the scope of protections for the RCRC names.

The NGPC's action will have a positive impact on the community as it will allow for temporary protections for RCRC names, while allowing for discussions to continue. As part of its deliberations, the NGPC reviewed the following significant materials and documents:

GAC Singapore Communiqué: https://www.icann.org/en/system/files/correspondence/gac-to-board-27mar1... (https://www.icann.org/en/system/files/correspondence/gac-to-board-27mar14-en.pdf) [PDF, 449 KB]
GNSO PDP Working Group Final Report on Protection of IGO and INGO Identifiers in all gTLDs: http://gnso.icann.org/en/issues/igo-ingo-final-10nov13-en.pdf (http://gnso.icann.org/en/issues/igo-ingo-final-10nov13-en.pdf) [PDF, 645 KB]
There are no foreseen fiscal impacts associated with the adoption of this resolution. Approval of the proposed resolution will not impact security, stability or resiliency issues relating to the DNS. This action is not a defined policy process within ICANN's Supporting Organizations or ICANN's Organizational Administrative Function decision requiring public comment or not requiring public comment. Subsequent actions related to protections for RCRC names may be subject to public comment.